

**UNITED STATES BANKRUPTCY COURT  
Southern District of New York**

In re: Sizmek Inc.

Bankruptcy Case No.: 19-10971-dsj

Nitel, Inc.

Plaintiff(s),

—against—

Adversary Proceeding No. 21-01160-dsj

Cerberus Business Finance, LLC  
PEPI CAPITAL, L.P.

Defendant(s)

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE  
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days, to:

**Address of Clerk:**

**Clerk of the Court  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408**

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

**Name and Address of Plaintiff's Attorney:**

**Jason M. Torf  
Ice Miller LLP  
200 W. Madison Street  
Suite 3500  
Chicago, IL 60606**

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408

Room: Register at [www.court-solutions.com](http://www.court-solutions.com),  
Dial: (646)760-4600 five mins before hrg,  
DSJ Teleconference Line

Date and Time: 7/29/21 at 10:00 AM

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Dated: 6/11/21

Vito Genna

*Clerk of the Court*

By: /s/ Carmen Ortiz

*Deputy Clerk*